IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

MONDAY, THE 9TH APRIL 2007 / 19TH CHAITHRA 1929

WP(C).No. 11999 of 2007(C)

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OS.452/2006 of MUNSIFF COURT, THALIPARAMBA

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PETITIONERS:

1. EDIMANNIL VALSAMMA, W/O.DEVASSIA,
   PAYATTUCHAL, NEDIYANGA, KANNUR DISTRICT.

2. DEVASSIA EDIMANNIL, S/O.ANTONY,
   PAYATTUCHAL, NEDIYANGA, KANNUR DISTRICT.

BY ADV. SRI.M.SASINDRAN
SRI.K.T.POULOSE (KORATTY)

RESPONDENT:

GENERAL PUBLIC OF WARD-III OF
SREEKANDAPURAM PANCHAYATH
NIDIYANGA AMSOM,CHEPPARAMBA DESOM,
TALIPARAMBA TALUK,REP.BY VARGHESE
EETTIKKAL, S/O.CHANDY,38 YRS,AGRICULTURIST
NIDIYANGA AMSOM, CHEPPARAMBA DESOM,
PARITHIYAD,H.NO.635A IN WARD III OF
SREEKANDAPURAM PANCHAYATH.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 09/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.P. Balachandran, J.

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W.P.(C)No. 11999 of 2007 C

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**JUDGMENT**

Heard counsel for the petitioners.

2. It is submitted that the grievance of the petitioners is that it is on the allegation that an ex parte injunction order is not complied with that police protection had been ordered vide Exhibit P8 order by the Munsiff, Taliparamba. According to the learned counsel, the petitioners have filed counter to I.A.No.2100/06, which is a petition for interim prohibitory injunction, that the court below has not considered the said IA on merits, considering the objections as well and that it is before that, that Exhibit P8 order, granting police protection to implement the injunction order has been passed.

3. In the result, I set aside Exhibit P8 order and direct the court below to pass appropriate orders, after hearing I.A.No.2100/06 on merits,

before affording police protection to implement the injunction order.

This writ petition is disposed of with the above direction. The petitioners shall produce a copy of this judgment in the court below positively on or before 13.4.2007. Issue copy of this judgment to the counsel for the petitioners, on application, as per Rules, as expeditiously as possible.

9th April, 2007 (K.P.Balachandran, Judge)

tkv